



TO: Mayor and Town Council
FROM: Hiram J. Marziano, II, Planning Director
THRU: Susan Parker, Town Administrator
TITLE: NFIP CAV Letter Information Breakdown
DATE: April 25, 2017

Brief Summary:

In September 2016, Roy McClure with FEMA and Heather Keefer with NCDPS conducted an inspection of the special hazard flood areas of the Town with Staff. They found two properties to be in violation of our local ordinances as well as NFIP guidelines:

1844 East Main Street – Palm Cove Lot 8
1846 East Main Street – Palm Cove Lot 9

These violations involve the utility systems and components attached to – and penetrating – the breakaway walls under the house. Nothing is to be attached to or penetrate breakaway walls per our ordinances and NFIP standards. The Town was instructed to address these violations.

Timeline of Actions:

- September 2016 – Community Assistance Visit (CAV); Discovery of Violations
- February 28, 2017 – Mr. Roy McClure notified the Town via email he was working on the CAV letter and requested if any corrective actions had occurred.
- March 6, 2017 – Staff consulted with Palm Cove developer regarding the violations. Various options and solutions were explored. Engineer stated they would formulate a solution and present to the Town.
- March 9, 2017 – New planning director started work and reviewed the violations and ordinances; researched options throughout the month.
- April 6, 2017 – Notice of Violation sent to each property owner. Given 30 days to come into compliance before Town continues remediation procedures outlined in the UDO.
- April 7, 2017 – Staff notified Mr. McClure and Mrs. Keefer of the violation notices via email.
- April 17, 2017 – Staff received a letter from Tim Jackson written by Ed Brunner, PE proposing to turn the walls into permanent walls instead of breakaway wall, which is not an allowed solution by the Town or NFIP standards.
- April 19, 2017 – Brunner letter was forwarded to Mr. McClure and Mrs. Keefer.
- April 24, 2017 – Town received CAV letter dated April 13, 2017. Letter gives the Town until June 30, 2017 to have the violations remedied.

Future Actions:

If Staff has not been contacted by the property owners by May 10, 2017, the corrective action procedures laid out in Article 12 Section 12.03(D)(2) of the UDO regarding floodplain violations will begin. These procedures include holding a hearing on site and issuing an order to take corrective action.



FEMA

April 13, 2017

The Honorable Robert Forrester
Mayor, Town of Sunset Beach
700 Sunset Boulevard North
Sunset Beach, North Carolina 28468

RE: National Flood Insurance Program (NFIP) - Community Assistance Visit (CAV)

Dear Mayor Forrester:

This letter is a follow-up to the CAV conducted for the Town of Sunset Beach by Mr. Roy McClure of the Federal Emergency Management Agency (FEMA) Region IV Office and Ms. Heather Keefer, NFIP Planner, Eastern Branch, NC Department of Public Safety, Emergency Management Risk Management Section. The meeting was held on September 21, 2016, at the Town of Sunset Beach Town Hall with Ms. Susan Parker, Town Manager, Mr. Richard Hathcock, GIS Planner and Mr. Wes McLeod, Senior Planner, Cape Fear Council of Governments. We truly appreciate the assistance, cooperation and hospitality provided by Ms. Parker and Mr. Hathcock during Mr. McClure's visit.

The purpose of the CAV is to assess the overall effectiveness of a community's floodplain management programs under its participation in the NFIP. In addition, the CAV affords our office with the opportunity to provide needed technical assistance and guidance as deemed appropriate.

The Town of Sunset Beach has been enrolled in the regular phase of the NFIP since November 17, 1972, thus making flood insurance and other Federal benefits available throughout the Town. To maintain participation in the NFIP the Town of Sunset Beach must continue to administer and enforce local floodplain management regulations that meet or exceed the minimum standards established by the NFIP as outlined in Title 44, Code of Federal Regulations (CFR), Section 60.3. Though participation in the NFIP is voluntary only participating communities can provide their citizens with the opportunity to purchase NFIP flood insurance and receive the full complement of federal disaster assistance. Furthermore, Sunset Beach has received a rating of Class 8 in the Community Rating System (CRS) Program, so NFIP policyholders now receive a 10 percent discount on flood insurance.

An essential function and requirement of participation in the NFIP is to obtain required documentation and permanently maintain all floodplain development records. These include, but are not limited to, development permit applications, detailed cost breakdowns for potential substantial damage and substantial improvement determinations, "finished- construction" elevation certificates, V-Zone Certifications, floodproofing certificates, certifications for engineered flood openings, and variance proceedings.

Mr. McClure and Ms. Keefer, accompanied by Mr. Hathcock, and Mr. McLeod conducted a tour of Sunset Beach's Special Flood Hazard areas and the following potential violations were noted:

- Lot 8 Palm Cove Subdivision – 1844 E. Main Street
- Lot 9 Palm Cove Subdivision – 1846 E. Main Street

Potential Violations

Electrical and other utility lines are attached to a breakaway wall in violation of your local Flood Damage Prevention Ordinance contained in Sunset Beach's Unified Development Ordinance, Article 12. Environmental Regulations, Section 12.04(B)(4)(d).

Corrective Action

Buildings constructed in the VE-Zone and elevated on pile or column foundation with space below the lowest elevated floor must either be free of obstruction or constructed with non-supporting breakaway walls designed and built to collapse under rising flood waters to prevent the impact of waves from damaging the elevated portion of the building or supporting foundation system.

The Town of Sunset Beach's Flood Damage Prevention Ordinance (Article 12. Environmental Regulations) requires in Coastal High Hazard Areas (Zones VE), breakaway walls, open wood latticework or insect screening, provided it is not part of the structural support of the building and is designed so as to breakaway.

Remove all utilities lines and connections from the breakaway wall and attach the utility lines to the structural pile or column. Obtain and submit copy of V-Zone Design Certificates for these buildings for verification of compliance.

See Technical Fact Sheet No. 8.1, Enclosures and Breakaway Walls and Technical Fact Sheet No. 8.3, Protecting Utilities, and Technical Fact Sheet No. 5, V-Zone Design and Construction Certification that are enclosed for guidance.

The Town of Sunset Beach will have until June 30, 2017, to submit documentation confirming that the corrective measures have been completed. Should you have questions regarding this correspondence, please contact Mr. Roy McClure at 770-220-8835 or e-mail him at roy.mcclure@fema.dhs.gov.

Sincerely,



Susan W. Wilson, CFM, Chief
Floodplain Management and Insurance Branch
Mitigation Division

Enclosures